



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent
appln. of: Emil Vulcu, et al.

Serial No.: 10/715,099

Filed: November 17, 2003

For: **CONTACT LENS HANDLING
AND INSERTING DEVICE AND
STORAGE CONTAINER**

Examiner: Bryon P. Gehman

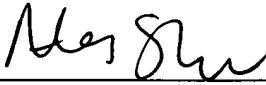
Art Unit: 3728

Att'y Docket: 136-03

Certificate of Mailing

I hereby certify that this correspondence is
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Postal Service as first class mail postage
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450,
on August 22, 2005.


Alex R. Sluzas, Reg. No. 28,669

Dated: August 22, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith please find the following documents for filing in the United States
Patent and Trademark Office in response to the Notice of Non-Compliant Amendment dated
August 8, 2005, setting a one month period for response.

1. This transmittal sheet in duplicate;
2. A copy of a Notice of Non-Compliant Amendment;
3. A complete listing of all of the claims each proceeded with the proper status
identification; and
4. An acknowledgement post card to be date-stamped and returned to Paul & Paul.

Serial No. 10/715/099
August 22, 2005

No fee is believed to be due. In the event that an additional fee is required with respect to this communication, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Paul & Paul Deposit Account No. 16-0750, Order No. 3399.

Respectfully submitted,



Alex R. Sluzas, Esq.
Registration No. 28,669

August 22, 2005

Order No. 3399

Paul & Paul
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UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E

AUG 24 2005

10/7/5099
Notice of Non-Compliant Amendment (37 CFR 1.121)

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

The amendment document filed on 8/8/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:
 A. Amended paragraph(s) do not include markings.
 B. New paragraph(s) should not be underlined.
 C. Other _____
2. Abstract:
 A. Not presented on a separate sheet. 37 CFR 1.72.
 B. Other _____
3. Amendments to the drawings: _____
4. Amendments to the claims:
 A. A complete listing of all of the claims is not present.
 B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 D. The claims of this amendment paper have not been presented in ascending numerical order.
 E. Other: *Claims 1 + 15 are underlined only currently amended claims are underlined*

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ropa/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

E. Fenton
Legal Instruments Examiner (LIE)

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